

the nearest and most practicable route. The dimensions and mode of construction of said road to be determined by the directors of the company. In no place shall said road be steeper than one foot in twelve, and shall be sixteen feet wide on level land, and fourteen feet wide in side digging, excepting in solid rock, where it shall be twelve feet wide. The county commissioners shall have the power to fix and charge such reasonable toll, and erect toll gates as they think best.

SEC. 3. Whenever land or right of way shall be needed by said company for the purpose of constructing its road, to supply stone, gravel or other material, if the parties cannot agree, the same may be taken at a valuation to be made by a commission of five freeholders to be chosen by two justices of the peace of the county where the land lies, or by the county commissioners thereof, which valuation made on oath, shall be recorded in the registers books, and payment of the valuation or tender thereof; or in case the owner does not reside in the county, on deposit of the same in the office of the clerk of the superior court, the said land or right of way so valued, shall vest in the company so long as it shall be used for the purposes thereof. Either party may appeal from the decision of the commissioners, but no proceedings made under this section shall hinder or delay the company, or delay their work. Ten days notice shall be given of the time and place of the meeting of the commissioners, or if the owner of the land does not reside in the county, then ten days notice by advertisement on the land and in a newspaper in the county, or if there be none, then at the door of the court house and two other public places in the county shall be sufficient notice. The right of condemnation shall not, except for materials for construction, include more than thirty feet on each side of the centre of the road, but for toll-houses, not exceeding one acre; *Provided*, That this right of condition shall not include any yard, garden or burial ground.

Right to condemn land.

Valuation of land.

SEC. 4. Said company shall have power to issue certificates of stocks to an amount not to exceed twenty thousand dollars,

Certificates of stock.